

2001-2002-2003

LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

NOTICE PAPER

No. 65

Tuesday, 19 August 2003

The Assembly meets this day at 10.30 am

EXECUTIVE BUSINESS

Orders of the day

- 1 CIVIL LAW (WRONGS) AMENDMENT BILL 2003: (*Attorney-General*): Agreement in principle – Resumption of debate (*from 24 June 2003 – Mr Stefaniak*).
- 2 TERTIARY ACCREDITATION AND REGISTRATION BILL 2003: (*Minister for Education, Youth and Family Services*): Agreement in principle – Resumption of debate (*from 3 April 2003 – Mrs Burke*).
- 3 VOCATIONAL EDUCATION AND TRAINING BILL 2003: (*Minister for Education, Youth and Family Services*): Agreement in principle – Resumption of debate (*from 3 April 2003 – Mrs Burke*).
- 4 STATUTE LAW AMENDMENT BILL 2003: (*Attorney-General; presented by Manager of Government Business*): Agreement in principle – Resumption of debate (*from 8 May 2003 – Mr Stefaniak*).
- 5 BUILDING (RESIDENTIAL BUILDING WARRANTY) AMENDMENT BILL 2003: (*Minister for Planning*): Agreement in principle – Resumption of debate (*from 8 May 2003 – Mr Smyth*).
- 6 ELECTORAL AMENDMENT BILL 2003: (*Attorney-General; presented by Manager of Government Business*): Agreement in principle – Resumption of debate (*from 8 May 2003 – Ms Dundas*).

**Notifications to which an asterisk (*) is prefixed appear for the first time*

- 7 ANIMAL AND PLANT DISEASES AMENDMENT BILL 2003: (*Minister for Environment*): Agreement in principle – Resumption of debate (*from 3 April 2003 – Mrs Dunne*).
- 8 GENE TECHNOLOGY BILL 2002: (*Minister for Health*): Agreement in principle – Resumption of debate (*from 21 February 2002 – Mr Smyth*).
- 9 REGISTRATION OF DEEDS AMENDMENT BILL 2003: (*Attorney-General; presented by Manager of Government Business*): Agreement in principle – Resumption of debate (*from 8 May 2003 – Mr Stefaniak*).
- *10 JUSTICE AND COMMUNITY SAFETY LEGISLATION AMENDMENT BILL 2003: (*Attorney-General*): Agreement in principle – Resumption of debate (*from 26 June 2003 – Mr Stefaniak*).
- *11 CIVIL LAW (SALE OF RESIDENTIAL PROPERTY) BILL 2003: (*Attorney-General*): Agreement in principle – Resumption of debate (*from 26 June 2003 – Mr Stefaniak*).
- *12 EVIDENCE (MISCELLANEOUS PROVISIONS) AMENDMENT BILL 2003: (*Attorney-General*): Agreement in principle – Resumption of debate (*from 26 June 2003 – Mr Stefaniak*).
- 13 STATE OF THE TERRITORY'S FINANCE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 7 March 2002 – Mr Smyth*) on the motion of Mr Quinlan – That the Assembly takes note of the paper.
- 14 INDEPENDENT COMPETITION AND REGULATORY COMMISSION - INVESTIGATION INTO COMPETITION IMPLICATIONS OF PROVISION OF WHEELCHAIR ACCESSIBLE TAXI SERVICES BY A SINGLE NETWORK – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 13 December 2001 – Mr Wood*) on the motion of Mr Quinlan – That the Assembly takes note of the paper.
- 15 FINANCIAL MANAGEMENT ACT – CONSOLIDATED FINANCIAL MANAGEMENT REPORT – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 15 May 2002 – Mr Smyth*) on the motion of Mr Quinlan – That the Assembly takes note of the paper.
- 16 GAMING MACHINE ACT – ACT GAMBLING AND RACING COMMISSION – REPORT ON COMMUNITY CONTRIBUTIONS MADE BY GAMING MACHINE LICENSEES – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 26 September 2002*) on the motion of Mr Stanhope – That the Assembly takes note of the paper.

- 17 PUBLIC RENTAL HOUSING ASSISTANCE PROGRAM – AMENDMENT TO RESTORE SECURITY OF TENURE TO PUBLIC TENANTS – STATEMENT BY MINISTER – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 10 December 2002 – Mr Stefaniak*) on the motion of Mr Wood – That the Assembly takes note of the paper.
- 18 FULL RETAIL COMPETITION – IMPACT ON ACT LOW INCOME EARNERS – GOVERNMENT RESPONSE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 20 February 2003 – Mr Cornwell*) on the motion of Mr Quinlan – That the Assembly takes note of the paper.
- 19 INDIGENOUS EDUCATION – FOURTH SIX MONTHLY REPORT – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 4 March 2003 – Ms Gallagher – in continuation*) on the motion of Mr Stanhope – That the Assembly takes note of the paper.
- 20 INQUIRIES ACT – BOARD OF INQUIRY INTO DISABILITY SERVICES – IMPLEMENTATION OF THE GOVERNMENT RESPONSE – FIRST SIX MONTHLY REPORT – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 1 April 2003 – Mrs Burke*) on the motion of Mr Wood – That the Assembly takes note of the paper.
- 21 AFFORDABLE HOUSING TASKFORCE FINAL REPORT – STRATEGIES FOR ACTION – GOVERNMENT RESPONSE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 8 May 2003 – Ms Tucker*) on the motion of Mr Wood – That the Assembly takes note of the paper.
- 22 INQUIRY INTO EDUCATION FUNDING IN THE ACT – REPORT – GOVERNMENT RESPONSE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 8 May 2003 – Mr Cornwell*) on the motion of Ms Gallagher – That the Assembly takes note of the paper.
- 23 VICTIMS OF CRIME (FINANCIAL ASSISTANCE) ACT – REVIEW OF OPERATION – GOVERNMENT RESPONSE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 17 June 2003 – Mr Stefaniak*) on the motion of Mr Stanhope – That the Assembly takes note of the paper.
- 24 CHILDREN AND YOUNG PEOPLE ACT – REVIEW – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 17 June 2003 – Mrs Bourke*) on the motion of Ms Gallagher – That the Assembly takes note of the paper.
- 25 LAW REFORM COMMISSION REPORT ON BAIL – GOVERNMENT RESPONSE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 19 June 2003 – Mr Stefaniak*) on the motion of Mr Stanhope – That the Assembly takes note of the paper.

- 26 RESPIRE CARE PROJECT – MET AND UNMET NEEDS – FINAL REPORT – SUSTAINING CARING RELATIONSHIPS – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 24 June 2003 – Mr Cornwell*) on the motion of Mr Corbell – That the Assembly takes note of the paper.
- *27 ACT TAXI SUBSIDY SCHEME – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 26 June 2003 – Mrs Burke*) on the motion of Mr Wood – That the Assembly takes note of the paper.

Notice

- 1 MR STANHOPE: To move – That the Legislative Assembly for the Australian Capital Territory, having noted that:
- (1) subsection 8(2) of the *Australian Capital Territory (Self-Government) Act 1988* (the Act) provides that the Assembly shall consist of 17 members;
 - (2) subsection 8(3) of the Act provides that the Governor-General may make regulations under the Act to fix a different number of members;
 - (3) regulations may only be made for this purpose in accordance with a resolution passed by the Assembly; and
 - (4) regulations would need to be made no later than April 2003 so that the necessary electoral redistribution can be conducted in time for the ACT election scheduled for October 2004;

hereby resolves that the number of members of the Legislative Assembly should be increased from 17 to 25 by regulations made by the Governor-General for the purposes of subsection 8(3) of the Act; and

calls upon the Chief Minister to communicate this resolution to the Commonwealth Government with a request that the regulations increasing the number of members be made at the earliest opportunity but no later than 31 March 2003. (*Notice given 25 September 2002*).

PRIVATE MEMBERS' BUSINESS

Notices

- 1 MRS CROSS: To move - That the Assembly calls on the Government to:
- (1) investigate the issue of fireworks in the ACT with respect to the noise and inconvenience caused by the loud bang factor;

- (2) investigate the lowering of the maximum content of 'flash powder' to an amount such as 100 mg per firecracker effect and reduce the confusion of the definition of Shopgood Fireworks. (*Notice given 17 June 2003*).

2 MS TUCKER: To move – That this Assembly:

- (1) commends the Government for proposing a rebate scheme for owners of houses reliant on wood burning heaters;
- (2) calls on the Government to develop a comprehensive strategy and timetable to eliminate the problem of wood smoke pollution in the ACT, incorporating such measures as:
 - (i) implementing enhanced air quality monitoring, including both airborne particles (PM10) and smaller airborne particles (PM 2.5), as recommended as the top priority in the State of the Environment Report 2000;
 - (ii) introducing mobile air monitoring of the Tuggeranong Valley and other wood smoke affected areas of Canberra.
 - (iii) commissioning a study into the long-term health effects of wood smoke pollution on Canberra residents;
 - (iv) replacing wood burning heaters in government-owned homes in Canberra;
 - (v) resourcing Environment ACT to enforce the penalty provisions contained in part 13 of the Environment Protection Act applying to excessively smoking chimneys;
 - (vi) providing regular information for broadcasting daily winter air pollution levels for the Tuggeranong Valley and other parts of Canberra as part of the weather forecasts on daily television and radio news bulletins;
 - (vii) working with rental property owners to encourage them to convert their properties to cleaner and more efficient forms of heating;
 - (viii) further public education initiatives on the proper use of wood-burning heaters; and
- (3) calls on the Government to include in the Spatial Plan process an investigation of the possibility of sustainable wood supply in the ACT. (*Notice given 6 May 2003*).

- 3 MR SMYTH: To move – That this Assembly, noting that the Government’s proposed new land rating system:
- (1) has not been adequately tested or modeled;
 - (2) is unfair and regressive;
 - (3) will lead to wildly different rates being levied on owners of properties of equivalent value.
- Calls on the Government to:
- (4) not introduce the new system in the 2003-04 financial year;
 - (5) undertake full assessment and modeling of the proposed new system;
 - (6) report the findings of this assessment and modeling to the Assembly by the end of 2003. (*Notice given 1 April 2003*).
- 4 MRS DUNNE: To move – That this Assembly calls on the Minister for Planning to immediately recommence the master planning process for the Kippax Group Centre. (*Notice given 9 May 2002*).
- 5 MR PRATT: To move – That this Assembly:
- (1) notes that the Department of Education will vacate the O’Connell Education Centre of the site of the old Griffith Primary School site by the end of this school year;
 - (2) notes that the Blue Gum School is currently in unacceptable accommodation and needs to move into more acceptable accommodation at the end of the current school year;
 - (3) calls on the Minister for Education to explore all educational options (Departmental, government and non government) for the O’Connell Centre before it is made surplus to requirement. (*Notice given 25 June 2002*).
- 6 MR SMYTH: To move – That the Government acknowledge the importance of openness and accountability and their election commitment to this end and calls on the Government to table the Canberra Hospital and Calvary Hospitals’ information bulletin – patient activity data, monthly reports at the first Assembly sitting after they have become available to the Government. (*Notice given 7 May 2002*).
- 7 MRS DUNNE: To move – That this Assembly calls on the Minister for Urban Services to immediately allocate funds for the site selection and design of a permanent library and community centre at the Kippax Group Centre. (*Notice given 9 May 2002*).

- 8 MS TUCKER: To move – That this Assembly:
- (1) having noted that under the *Australian Capital Territory (Self-Government) Act 1988* the size of the Assembly can only be altered by regulations in accordance with a resolution passed by the Assembly;
 - (2) hereby resolves that the number of members of the Legislative Assembly should be increased from 17 to 21, with 7 members elected from each of 3 electorates; and
 - (3) calls upon the Chief Minister to communicate this resolution to the Minister for Regional Services, Territories and Local Government with a request that the regulations increasing the number of members be made by no later than 31 March 2003 so that the necessary electoral redistribution can be conducted in time for the ACT election scheduled for October 2004. (*Notice given 19 November 2002*).
- 9 MRS DUNNE: To move – That noting recommendation 4 of Report No 4 of the Standing Committee on Planning and Environment into Draft Variation No 174 to the Territory Plan, the Hungarian-Australian Club site and Community Facility Land, this Assembly calls on the Government to review the operation of all pre self-government concessional leases. (*Notice given 11 December 2002*).
- 10 MS DUNDAS: To move – That this Assembly, recognising the need for a Youth Night Shelter in Civic to provide safe overnight accommodation for young people unable to return home late at night, calls on the ACT Government to make the establishment of a youth night shelter a high priority for the 2003-2004 financial year (*Notice given 4 March 2003*).
- 11 MR STEFANIAK: To move – That the Assembly calls on the Government to commemorate the achievements and contributions made by the Cannons, Capitals and Brumbies by means of honour plaques laid on London Circuit similar to the honour plaque already laid to commemorate the contribution made by the Canberra Raiders. (*Notice given 4 March 2003*).
- 12 MRS BURKE: To move – That this Assembly calls upon the government to establish suitable community support mechanisms for illicit drug dependent parents to assist them in moving away from a drug dependent lifestyle to ensure the well being and safety of their children. (*Notice given 4 March 2003*).
- 13 MRS CROSS: To move – That the Assembly calls on the Chief Minister:
- (1) to table Howard McBeth's 1994 report into the adequacy of the Territory's fire prevention strategies;
 - (2) to incorporate the McBeth report into the Government's operational response to the 18 January 2003 bushfires. (*Notice given 5 March 2003*).

- 14 MS DUNDAS: To move – That this Assembly calls on the Government to empower the Gaming and Racing Commission to reduce the current number of gaming machines in the ACT to 3000, in line with the national per capita average, during the financial year 2003-2004. (*Notice given 11 March 2003*).
- 15 MS DUNDAS: To move – That this Assembly calls on the ACT Government to audit the superannuation and workers compensation entitlements of all fire-fighters who have been transferred from the NSW Fire Brigade to the ACT Fire Brigade, and report to the Assembly by 19 August 2003. (*Notice given 1 April 2003*).
- 16 MS DUNDAS: To move – That this Assembly calls on the ACT Government to immediately establish a Taskforce reporting directly to Cabinet, with parent, principal, teacher and Government representation, to evaluate and implement recommendations from the Connors Inquiry into ACT Education Funding. (*Notice given 1 April 2003*).
- 17 MRS DUNNE: To move – That this Assembly:
- (1) acknowledges that plastic bag use needs to be reduced and plastic bag recycling needs to be enhanced in the ACT;
 - (2) calls on the Government to ensure that there are plastic bag recycling drop off points at all major town centres across Canberra;
 - (3) calls on the Government to embark on an education and awareness campaign promoting the benefits of reducing, reusing and recycling plastic bags;
 - (4) calls on the Government to work with business and encourage more consumer choice for carrying goods bought, ie allowing choice of plastic bag, calico bag, boxes or degradable bags;
 - (5) calls on the Government to work with business and trial (a) a plastic bag levy in Canberra and (b) the use of biodegradable or degradable plastic bags using a similar approach to the ReBaG trial in 1999. (*Notice given 17 June 2003*).
- 18 MS TUCKER: To move – That this Assembly:
- (1) supports the role of the Senate as an essential check on the power and the Executive of the Federal Government and as a mechanism for ensuring responsible and accountable government;
 - (2) rejects the proposal of the Prime Minister to change the constitution so as to enable a joint session of both Houses of the Federal Parliament without first requiring a double dissolution election;
 - (3) calls on the Chief Minister to write to the Prime Minister expressing grave concern about the proposal and calling on him to withdraw his proposal; and

- (4) affirms the role of proportional representation as an electoral system which, through awarding representatives in proportion to shares of votes, ensures a democratic legislature. (*Notice given 24 June 2003*).

19 MR PRATT: To move – That this Assembly:

- (1) expresses its concern that those students of Tuggeranong College who drive their own cars are required to pay for their own school hours parking, the only students in the ACT required to do so;
- (2) calls upon the Department of Urban Services to put in place an adequate number of dedicated car spaces for free student parking and other suitable administrative arrangements to allow such parking to occur. (*Notice given 24 June 2003*).

20 MR PRATT: To move – That this Assembly

- (1) concerned at the ongoing difficulties with the sale and illegal trafficking of fireworks, including illegal and dangerous items, notes that the ACT community has exhausted its patience with this unacceptable, disruptive and unsafe state of affairs;
- (2) hereby calls upon the government to as quickly as possible:
 - (a) pass legislation that will ban the retail sale of shop good fireworks in the ACT;
 - (b) restrict the use of all fireworks to certified pyro-technicians and government approved community organizations;
 - (c) permit community organisations restrictive use of fireworks only at the Queen's Birthday long weekend between 5 pm – 10 pm on prescribed nights;
 - (d) introduce stricter penalties for the illegal sale and use of fireworks;
 - (e) ensure that penalties are enforced. (*Notice given 24 June 2003*).

21 MS DUNDAS: To move – That the ACT Government investigate the introduction of a concession scheme to assist working people on low incomes who are currently struggling to pay their property rates, and report back to the Assembly by the first sitting day in December 2003. (*Notice given 25 June 2003*).

22 MS DUNDAS: To move – That the ACT Government negotiate with the owners of the site at the corner of Nettlefold Street and Coulter Drive a land swap or suitable compensation to ensure the preservation of the magnificent trees on that site. (*Notice given 25 June 2003*).

Orders of the day

- 1 INQUIRIES AMENDMENT BILL 2002: (*Mr Humphries*): Agreement in principle – Resumption of debate (*from 15 May 2002 – Mr Stanhope*).
- 2 LAND (PLANNING AND ENVIRONMENT) LEGISLATION AMENDMENT BILL 2001: (*Ms Tucker*): Agreement in principle – Resumption of debate (*from 12 December 2001 – Mr Corbell*).
- 3 CRIMES AMENDMENT BILL 2001 (NO 3): (*Mr Stefaniak*): Agreement in principle – Resumption of debate (*from 12 December 2001 – Mr Stanhope*).
- 4 SUPREME COURT AMENDMENT BILL 2001 (NO 2): (*Mr Stefaniak*): Agreement in principle – Resumption of debate (*from 12 December 2001 – Mr Stanhope*).
- 5 ELECTORAL AMENDMENT BILL 2002: (*Ms Tucker*): Agreement in principle – Resumption of debate (*from 6 March 2002 – Mr Stanhope*).
- 6 STATISTICAL PROFILE ON THE ADMINISTRATION OF JUSTICE AND REVIEW OF THE OPERATION OF THE VICTIMS OF CRIME (FINANCIAL ASSISTANCE) ACT - MOTION TO TAKE NOTE OF PAPERS: Resumption of debate (*from 7 March 2002 – Mrs Dunne*) on the motion of Mr Stefaniak – That the Assembly takes note of the papers.
- 7 PROPOSED TIMETABLE FOR THE COMPLETION OF THE GUNG AHLIN DRIVE EXTENSION: Resumption of debate (*from 5 June 2002 – Ms Dundas*) on the motion of Mrs Dunne – That this Assembly:
 - (1) notes the ACT Government's commitment to build the Gungahlin Drive extension on time, on the western alignment, and to the same budget as that allocated to the eastern alignment; and
 - (2) directs the Minister for Planning, Mr Corbell, to table before the Assembly rises on Thursday, 6 June 2002 his proposed timetable for completing the Gungahlin Drive extension including but not limited to the:
 - (a) commencement and completion of environmental planning;
 - (b) commencement and completion of engineering planning;
 - (c) commencement of the draft variation process;
 - (d) timetable for the letting of tenders;
 - (e) commencement of works; and
 - (f) completion of works.
- 8 COMMUNITY REFERENDUM BILL 2002: (*Mr Humphries*): Agreement in principle – Resumption of debate (*from 28 August 2002 – Mr Stanhope*).
- 9 CRIMES AMENDMENT BILL 2002: (*Mr Pratt*): Agreement in principle – Resumption of debate (*from 13 November 2002 – Mr Stanhope*).

- 10 BUILDING (WATER EFFICIENCY) AMENDMENT BILL 2002: *(Mrs Dunne):* Agreement in principle – Resumption of debate *(from 13 November 2002 – Mr Corbell)*.
 - 11 LITTER AMENDMENT BILL 2002: *(Ms Tucker):* Agreement in principle – Resumption of debate *(from 20 November 2002 – Mr Corbell)*.
 - 12 PUBLIC ACCESS TO GOVERNMENT CONTRACTS AMENDMENT BILL 2002 (NO. 2): *(Ms Dundas):* Agreement in principle – Resumption of debate *(from 11 December 2002 – Mr Quinlan)*.
 - 13 COSTING OF ELECTION COMMITMENTS BILL 2002: *(Mr Humphries):* Agreement in principle – Resumption of debate *(from 11 December 2002 – Mr Quinlan)*.
 - 14 FINANCIAL LEGISLATION (INTEGRITY AND RESPONSIBILITY) AMENDMENT BILL 2002: *(Mr Humphries):* Agreement in principle – Resumption of debate *(from 11 December 2002 – Mr Quinlan)*.
 - 15 BUSHFIRE RECONSTRUCTION AUTHORITY BILL 2003: *(Mrs Dunne):* Agreement in principle – Resumption of debate *(from 5 March 2003 – Mr Stanhope)*.
 - 16 SENTENCING REFORM AMENDMENT BILL 2003: *(Mr Stefaniak):* Agreement in principle – Resumption of debate *(from 2 April 2003 – Mr Stanhope)*.
 - 17 GAMING MACHINE (POLITICAL DONATIONS) AMENDMENT BILL 2003: *(Mrs Cross):* Agreement in principle – Resumption of debate *(from 7 May 2003 – Mr Quinlan)*.
 - 18 BUSHFIRE INQUIRY (PROTECTION OF STATEMENTS) AMENDMENT BILL 2003 (NO. 2): *(Ms Tucker):* Agreement in principle – Resumption of debate *(from 18 June 2003 – Mr Wood)*.
 - 19 SMOKING (PROHIBITION IN ENCLOSED PUBLIC PLACES) BILL 2003: *(Mrs Cross):* Agreement in principle – Resumption of debate *(from 25 June 2003 – Mr Corbell)*.
 - 20 CORRECTIONS REFORM AMENDMENT BILL 2003: *(Mr Smyth):* Agreement in principle – Resumption of debate *(from 25 June 2003 – Mr Stanhope)*.
 - 21 BAIL (SERIOUS OFFENCES) AMENDMENT BILL 2003: *(Mr Stefaniak):* Agreement in principle – Resumption of debate *(from 25 June 2003 – Mr Stanhope)*.
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ASSEMBLY BUSINESS

Notices

1 MR SMYTH: To move – That:

- (1) notwithstanding the provisions of standing order 71, a Select Committee on Privileges be appointed to examine:
 - (a) the refusal of Mr Wood to answer questions of the Select Committee on Estimates;
 - (b) the refusal of Mr Corbell to answer questions of the Select Committee on Estimates; and
 - (c) the creation and distribution of the document known as ‘Budget Estimates 2003’ by certain persons within ACT Health;
 - (d) the broadcast on ABC radio of details concerning recommendations of the Standing Committee on Public Accounts inquiry into the Rates and Land Tax Amendment Bill 2003 and the Select Committee on Estimates 2003-2004 inquiry into the Appropriation Bill 2003-2004 prior to their presentation to the Legislative Assembly.

and determine whether each constitutes a contempt of the Legislative Assembly.

(2) The Committee comprise:

- (a) one member to be nominated by the Government;
- (b) one member to be nominated by the Opposition;
- (c) one member to be nominated by a member of the Cross bench.

(3) The Committee shall report by the last sitting day in September. (*Notice given 17 June 2003; amended 18 June 2003*).

2† MRS DUNNE: To move – That variation to the Territory Plan No. 200, made pursuant to the *Land (Planning and Environment) Act 1991* be disallowed. (*Notice given 19 June 2003*).

† 2 sitting days for resolution

Orders of the day

- 1 LEGAL AFFAIRS – STANDING COMMITTEE – REPORT NO. 4 – THE APPROPRIATENESS OF THE SIZE OF THE LEGISLATIVE ASSEMBLY FOR THE ACT AND OPTIONS FOR CHANGING THE NUMBER OF MEMBERS, ELECTORATES AND ANY OTHER RELATED MATTER – GOVERNMENT RESPONSE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 26 September 2002 – Mr Stefaniak*) on the motion of Mr Stanhope – That the Assembly takes note of the paper.
- 2 STATUS OF WOMEN IN THE ACT – SELECT COMMITTEE – REPORT – THE STATUS OF WOMEN IN THE ACT – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 21 November 2002 – Mr Stanhope*) on the motion of Ms Gallagher – That the report be noted.
- 3 PLANNING AND ENVIRONMENT – STANDING COMMITTEE – REPORT NO 13 – DRAFT VARIATION NO 187 TO THE TERRITORY PLAN – HERITAGE PLACES REGISTER – RED HILL HOUSING PRECINCT – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 3 April 2003 – Mr Wood*) on the motion of Mrs Dunne – That the report be noted.
- 4 PLANNING AND ENVIRONMENT – STANDING COMMITTEE – REPORT NO 14 – DRAFT VARIATION NO 175 TO THE TERRITORY PLAN – INDUSTRIAL B3 LAND USE POLICIES – INDUSTRIAL AREA POLICIES AND DEFINITIONS: FYSHWICK, SYMONSTON, MITCHELL AND HUME – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 6 May 2003 – Mr Corbell*) on the motion of Mr Hargreaves – That the report be noted.
- 5 PLANNING AND ENVIRONMENT – STANDING COMMITTEE – REPORT NO 15 – VARIATION TO THE TERRITORY PLAN, NO. 200, GARDEN CITY VARIATION – RESIDENTIAL LAND USE POLICIES, MODIFICATIONS TO RESIDENTIAL CODES, AND MASTER PLAN PROCEDURES – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 6 May 2003 – Mr Corbell*) on the motion of Mr Hargreaves – That the report be noted.
- 6 HEALTH – STANDING COMMITTEE – REPORT NO 4 – LOOKING AT THE HEALTH OF SCHOOL-AGE CHILDREN IN THE ACT – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 8 May 2003 – Mr Cornwell*) on the motion of Ms Tucker – That the report be noted.
- 7 PUBLIC ACCOUNTS – STANDING COMMITTEE – REPORT NO 5 – INQUIRY INTO THE RATES AND LAND TAX AMENDMENT BILL 2003 – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 17 June 2003 – Mr Quinlan*) on the motion of Mr Smyth – That the report be noted.

- 8 PLANNING AND ENVIRONMENT – STANDING COMMITTEE – REPORT NO 14 – DRAFT VARIATION NO 175 TO THE TERRITORY PLAN – INDUSTRIAL B3 LAND USE POLICIES – INDUSTRIAL AREA POLICIES AND DEFINITIONS: FYSHWICK, SYMONSTON, MITCHELL AND HUME – GOVERNMENT RESPONSE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 17 June 2003 – Mrs Dunne*) on the motion of Mr Corbell – That the Assembly takes note of the paper.
 - 9 PLANNING AND ENVIRONMENT – STANDING COMMITTEE – REPORT NO 15 – VARIATION NO 200, GARDEN CITY VARIATION – RESIDENTIAL LAND USE POLICIES, MODIFICATIONS TO RESIDENTIAL CODES AND MASTER PLAN PROCEDURES – GOVERNMENT RESPONSE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 17 June 2003 – Mrs Dunne*) on the motion of Mr Corbell – That the Assembly takes note of the paper.
 - 10 PLANNING AND ENVIRONMENT – STANDING COMMITTEE – REPORT NO 17 – DRAFT VARIATION NO 150 TO THE TERRITORY PLAN – DEAKIN BLOCKS 14 AND 15 SECTION 36 [FORMER DEAKIN OVAL SPORTS GROUND] PROPOSED RESIDENTIAL AND URBAN OPEN SPACE LAND USE POLICIES AND CHANGES TO THE PUBLIC LAND OVERLAY – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 17 June 2003 – Mr Corbell*) on the motion of Mrs Dunne – That the report be noted.
 - 11 PLANNING AND ENVIRONMENT – STANDING COMMITTEE – REPORT NO 19 – DRAFT VARIATION NO 210 TO THE TERRITORY PLAN – DEAKIN SECTION 35 BLOCK 2 (SITE OF FORMER DEAKIN MOTOR INN) AND SECTION 35 BLOCK 28 (CANBERRA WEST BOWLING CLUB, ALSO KNOWN AS THE WEST DEAKIN HELLENIC BOWLING CLUB) COMMERCIAL USE POLICY AND RESIDENTIAL USE – MOTION THAT REPORT BE NOTED: Resumption of debate (*from 17 June 2003 – Mr Corbell*) on the motion of Mrs Dunne – That the report be noted.
 - 12 LEGAL AFFAIRS – STANDING COMMITTEE: Presentation of report on the Crimes (Industrial Manslaughter) Amendment Bill 2002 pursuant to order of the Assembly of 12 December 2002, as amended 1 April 2003 and 17 June 2003.
 - 13 ESTIMATES 2003-2004 – SELECT COMMITTEE – REPORT – APPROPRIATION BILL 2003-2004 – GOVERNMENT RESPONSE – PAPER – MOTION TO TAKE NOTE OF PAPER: Resumption of debate (*from 24 June 2003 – Mr Smyth*) on the motion of Mr Quinlan – That the Assembly takes note of the paper.
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20 August 2003

- *14 PRIVILEGES – SELECT COMMITTEE: Presentation of report pursuant to order of the Assembly of 26 June 2003.

23 September 2003

- 15 LEGAL AFFAIRS – STANDING COMMITTEE: Presentation of report on the Long Service Leave (Private Sector) Bill 2003 pursuant to order of the Assembly of 7 May 2003.

Last sitting day of 2003

- 16 PLANNING AND ENVIRONMENT – STANDING COMMITTEE: Presentation of report on the Road Transport (Public Passenger Services) Amendment Bill 2003 pursuant to order of the Assembly of 17 June 2003.

**Referred to Standing Committee on Administration and Procedure on
7 May 2003**

PROPOSED AMENDMENT TO STANDING ORDER 118 – ANSWERS TO QUESTIONS WITHOUT NOTICE: Resumption of debate (*from 7 May 2003 – Ms Tucker*) on the motion of Mr Cornwell – That this Assembly amends Standing Order 118, in accordance with the Australian Labor Party's *Labor's 2001 ACT Election Commitments* (page 35, paragraph 8 'We will limit Ministers' answers to Questions to five minutes), by adding a new sub-section (c) shall not be longer than five minutes in length, and amends existing sub-section (b) by adding 'and' after 'refers'.

Referred to Standing Committee on Legal Affairs on

12 December 2002

CRIMES (INDUSTRIAL MANSLAUGHTER) AMENDMENT BILL 2002: (*Minister for Industrial Relations*): Resumption of debate – Agreement in principle (*Mr Pratt*).

7 May 2003

LONG SERVICE LEAVE (PRIVATE SECTOR) BILL 2003: (*Mr Berry*): Resumption of debate – Agreement in principle (*Ms Gallagher*).

Referred to Standing Committee on Planning and Environment on**17 June 2003**

ROAD TRANSPORT (PUBLIC PASSENGER SERVICES)
AMENDMENT BILL 2003: (*Minister for Urban Services*): – Resumption of debate –
Agreement in principle (*Mrs Dunne*).

QUESTIONS ON NOTICE

On the first sitting day of a period of sittings a complete *Notice Paper* is published containing all unanswered questions. On subsequent days, only new and redirected or revised questions are included on the *Notice Paper*.

Redirected and answered questions

The following questions asked by the Member indicated have been redirected to the Ministers indicated and answers have been received:

- 710 Treasurer (*Mr Cornwell*).
- 711 Attorney General (*Mr Cornwell*).
- 714 Urban Services (*Mr Cornwell*).
- 731 Minister for Environment (*Mr Cornwell*).
- 794 Minister for Health (*Mr Cornwell*).
- 804 Minister for Environment (*Mr Cornwell*).
- 812 Minister for Disability, Housing and Community Services (*Mrs Burke*).

Unanswered questions**19 August 2003***(Redirected question – 30 days expires 26 July 2003)*

- *802 MS DUNDAS: To ask the Minister for Sport, Racing and Gaming – In relation to tenders for naming rights to the Canberra Stadium:
 - (1) How many members of the Stadiums Authority Board of Management are also members of the ActewAGL Board;
 - (2) What mechanisms were used to ensure the confidentiality of commercial information during the tendering for the naming rights for Canberra Stadium;

- (3) Did any person who was a member of both boards have access to information about the content of tender documents before the close of tenders for the naming rights;
- (4) Does the Government consider it in the best interest of the Canberra community for the naming rights of Canberra Stadium to be sold;
- (5) What measures has the Government undertaken to prevent conflicts of interest on Territory Authorities;
- (6) Does the Government believe it is appropriate for individuals to be members of multiple boards of Territory Authorities that may have competing commercial interests;
- (7) What action will the Government take to remove perceptions of conflicts of interest on the Boards of Territory Authorities.

24 June 2003*(30 days expires 24 July 2003)*

- 784 MR CORNWELL: To ask the Minister for Urban Services – Further to your response to Question on notice no 326 regarding vandalism at Pine Island Reserve and subsequent restriction on vehicles imposed there between the hours of 9 pm to 8 am:
- (1) Is the restriction on vehicles at Pine Island Reserve between the hours of 9 pm to 8 am currently maintained;
 - (2) If the answer to (1) above is affirmative, has there been a reduction in the levels of (a) vandalism (b) drug and alcohol use (c) violence and other anti-social behaviour at Pine Island Reserve since the restriction was introduced;
 - (3) What are the representative figures for (a), (b) and (c) above both prior to and since the introduction of the restriction on vehicles;
 - (4) If the answer to (a) above is negative, then why has the restriction on vehicle access to Pine Island Reserve between the hours of 9 pm to 8 am been lifted.

25 June 2003*(30 days expires 25 July 2003)*

- 799 MRS DUNNE: To ask the Minister for Planning – In relation to the Gungahlin Development Authority:
- (1) How many land sales has the Authority conducted over the past 5 years;

- (2) How much revenue has been generated;
- (3) Did each of those sales result in meeting the stipulated conditions – ie, 10 per cent deposit on fall of the hammer and settlement in 56 days;
- (4) If not, what were the exceptions, and what arrangements were made;
- (5) How many of those sales resulted in legal action either by or against the Authority;
- (6) What outcomes did legal action effect;
- (7) What, if any, legal action is still pending;
- (8) What cost has been incurred by the Authority for legal fees in the past five years;
- (9) How many sales resulted in disputation other than legal action;
- (10) What outcomes were affected by such disputation, if any;
- (11) What, if any, disputations are pending.

26 June 2003

(30 days expires 26 July 2003)

809 MRS DUNNE: To ask the Minister for Planning – In relation to government land auctions, specifically that of Harrison 1 Estate on 11 June 2003:

- (1) When did the Gungahlin Development Authority (GDA) first become aware that the cheque offered for deposit by the successful bidder was to be dishonoured;
- (2) What discussions and/or negotiations took place with the bidder between the fall of the hammer and the cheque being dishonoured;
- (3) Who took part in these discussions and/or negotiations;
- (4) Was any approach made by the GDA to any associates of the bidder in this regard;
- (5) If so, who and by whom;
- (6) Did the GDA have any contact with the Commonwealth Bank in regard to this matter between the auction and the cheque being dishonoured;
- (7) When was legal advice sought by the GDA;

- (8) What questions were asked in regard to that advice;
- (9) When was the advice received.

New questions
(30 days expires 18 September 2003)

MS DUNDAS: To ask the following Ministers:

- *814 Minister for Disability, Housing and Community Services
- *815 Minister for Planning

In relation to the Master Builders Association Awards Night held on 27 June 2003. What was the cost to the ACT Government of sponsorship of this night.

- *816 MR CORNWELL: To ask the Minister for Urban Services – In relation to Civic Library:

- (1) What is the current value of rent per square metre per annum for the use of the premises occupied by the ACT Public Library Service in Civic;
- (2) What is the duration of the current lease for the premises at (1) above and what is its expiry date.

- *817 MR CORNWELL: To ask the Minister for Urban Services – Further to your media release of 7 March 2003 that 32 000 square metres of asphalt road repairs were to be undertaken and completed by end June 2003:

- (1) Has this work been completed;
- (2) If not, what is still to be completed;
- (3) Why is the outstanding work not completed;
- (4) Is there any cost overruns from the \$1,172,560 contract and if so, how much and why.

- *818 MR CORNWELL: To ask the Minister for Urban Services:

- (1) How many motorists were convicted for using a hand-held mobile telephone in financial year 2002-03;
- (2) How many at (1) paid the fine;
- (3) How much revenue was collected;

- (4) Does the offence of using a hand-held mobile telephone also apply to hand-held CB radios, eating, smoking or drinking while driving and if not, why not.
- (5) Why was it necessary to increase the fine from \$118 to \$220 and did the original fine cover the cost of enforcing the penalty.

*819 MR CORNWELL: To ask the Minister for Urban Services – In relation to littering and rubbish removal:

- (1) Who is responsible for ensuring that rubbish is collected from the nature strip and planter boxes and bays in Giles Street Kingston, between Howitt and Jardine Streets, in the area which extends to include the public telephone boxes and the area adjacent to the Commonwealth Bank;
- (2) Have any fines or warnings been issued for littering in the ACT, in particular throwing away cigarette butts, during (a) 2002-03 (b) 2001-02 (c) 2000-01;
- (3) What is the (a) total value of fines and (b) number of fines issued for littering in the ACT, in particular throwing away cigarette butts, in the years listed at (2) above.

*820 MR CORNWELL: To ask the Minister for Planning – Further to your letter of 5 June 2003 advising that “sometime after (18 June) we can expect a ruling from the Administrative Appeals Tribunal (AAT) in respect of this order”. Can you now advise what decision the AAT has made requiring the lessees of 14 Yambina Street Warramanga to clean up the block.

*821 MR CORNWELL: To ask the Minister for Planning – In relation to the ACT Administrative Appeals Tribunal Decision 24 of 7 May 2003, can you please advise why:

- (1) Only sketch plans were ever provided to PALM;
- (2) No landscape plans were ever provided, even at the time of the hearing, as accepted by Mr Streatfield (paragraph 41) in direct contravention of the HQSD process;
- (3) The plans had showed, incorrectly, winter shadowing only, not summer shadowing, yet shadowing was a major negative impact of the proposed development;
- (4) The hard stand car parking spaces at the front of the house were not compliant with the Territory Plan;

- (5) Only one of the five car parking spaces had been provided with a turning bay, even though during the hearing evidence was given that the bay was insufficient;
- (6) The designs were so badly done, there was doubt that the roof could fit within the space allowed;
- (7) By definition, the pre-application consultation was flawed, with sketchy, incomplete and quite inaccurate plans being presented to neighbours.

*822 MR CORNWELL: To ask the Minister for Health – In relation to the closure of the Narrabundah and Dickson Aged Day Care Centres earlier this year:

- (1) How many people were being regularly transferred by bus from (a) Dickson to Belconnen (b) Narrabundah to Tuggeranong as at 31 January 2003 and 30 June 2003;
- (2) What was the estimated cost of these transfers at January 2003 and what was the real cost at 30 June 2003.

*823 MR CORNWELL: To ask the Minister for Education, Youth and Family Services – Further to a media release issued by the ACT Council of Parents and Citizens Associations on 27 June 2003 entitled '*Parents Say School Funding is Inadequate*':

- (1) What percentage of all Year 12 students enrolled in ACT Government schools in (a) 1998 (b) 1999 (c) 2000 (d) 2001 (e) 2002 successfully achieved the ACT Year 12 Certificate;
- (2) What is the total actual number of ACT Government school Year 12 students enrolled in each of the years at (1) above.
- (3) Are the figures requested at (1) and (2) above available for ACT non-government schools, and if so, can they please be provided.

*824 MR CORNWELL: To ask the Speaker – When might the Assembly receive a report from the Standing Committee on Administration and Procedure concerning an amendment to Standing Order 118 (seeking to restrict Ministers replies to Questions without notice to five minutes) in conformity with the Government's 2001 election policy which was referred to the Committee on 7 May 2003.

- *825 MRS BURKE: To ask the Minister for Urban Services – In relation to playgrounds and further to your reply to Question on notice no 800:
- (1) In response to this question you stated that all playgrounds in Package 2 of the Playground Safety Improvement Program had been completed except Chippendale Circuit, Theodore. Has this work now been completed;
 - (2) If so when was the work completed and is the playground now open to the public;
 - (3) If not why not. What works remain to be completed and what is the new completion date.
- *826 MRS BURKE: To ask the Minister for Education, Youth and Family Services – In relation to foster care:
- (1) As at 1 August 2003, how many children were awaiting placement in foster care;
 - (2) What is the current average waiting time for placement in foster care for children;
 - (3) Where are children awaiting foster care housed during the period in which a permanent placement is being organised;
 - (4) How many children had to be removed from foster care in (a) 2001-02 and (b) 2002-03.
 - (5) For what reasons did these children have to be removed;
 - (6) How many foster parents resigned or otherwise indicated they would not be taking on foster care children anymore in (a) 2001-02 and (b) 2002-03;
 - (7) What were the reasons that these people resigned;
 - (8) What strategies are being developed / implemented by the Government to address the circumstances covered in paragraphs 4, 5, 6 and 7 respectively.
- *827 MRS DUNNE: To ask the Minister for Urban Services – In relation to the Non-Urban Land Review:
- (1) Have any areas of ACT land been considered under the review been planted with pines, if so why;
 - (2) If so, has the future use of that land been determined prior to the Review being completed;

- (3) Why weren't native trees and grasses planted on bushfire-affected areas instead of pines;
- (4) Who decided to plant the pines and can supporting documentation for that decision be provided.

*828 MRS DUNNE: To ask the Minister for Police and Emergency Services – In relation to firefighting:

- (1) How many fire unit captains and deputy captains are on the ACT Government payroll as firefighters;
- (2) What are the qualifications of each captain and deputy captain;
- (3) In each case, when were they last upgraded;
- (4) What provision exists for ongoing training and upgrading of firefighting skills.

*829 MRS DUNNE: To ask the Minister for Planning – In relation to dual occupancy development:

- (1) How many dual occupancies were approved for development in (a) 2002-03 (b) 2001-02 and (c) 2000-2001;
- (2) In what suburbs were dual occupancies approved in (a) above;
- (3) Have any dual occupancies been approved to date in 2003-04, if so, how many and in what suburbs.

T Duncan

Acting Clerk of the Legislative Assembly

COMMITTEES

Unless otherwise shown, appointed for the life of the Fifth Assembly. The dates of the amendments to the committees' resolution of appointment are reflected, but not changes in the membership.

Standing

Pursuant to standing order

ADMINISTRATION AND PROCEDURE: *(Formed 12 November 2001):* The Speaker *(Presiding Member)*, Ms Dundas, Mrs Dunne *(from 18 February 2003)*, Mr Hargreaves, Ms MacDonald *(during the absence of Mr Hargreaves from 11-27 May 2002)*, Mr Stefaniak *(during the absence of Mrs Dunne on 6 May 2003)*.

Pursuant to resolution

COMMUNITY SERVICES AND SOCIAL EQUITY: *(Formed 11 December 2001; Amendment to resolution of appointment 21 November 2002):* Mr Hargreaves *(Chair)*, Mr Cornwell *(from 21 November 2002)*, Mrs Cross, Ms Dundas.

EDUCATION: *(Formed 11 December 2001):* Ms MacDonald *(Chair)*, Ms Dundas, Mr Pratt.

HEALTH: *(Formed 11 December 2001):* Ms Tucker *(Chair)*, Mrs Burke *(from 18 February 2003)*, Ms MacDonald.

LEGAL AFFAIRS: *(Formed 11 December 2001):* Mr Stefaniak *(Chair)*, Mr Hargreaves, Ms Tucker.

PLANNING AND ENVIRONMENT: *(Formed 11 December 2001; Amendment to resolution of appointment 21 November 2002):* Mrs Dunne *(Chair)*, Mrs Cross *(from 21 November 2002)*, Ms Dundas, Mr Hargreaves *(from 30 January 2003)*.

PUBLIC ACCOUNTS: *(Formed 11 December 2001):* Mr Smyth *(Chair)*, Ms MacDonald *(from 30 January 2003)*, Ms Tucker.

Select

PRIVILEGES: *(Formed 26 June 2003):* Ms Dundas *(Chair)*, Mr Quinlan, Mr Stefaniak.

Dissolved

ESTIMATES 2001-02: *(Formed 19 February 2002):* Mr Humphries *(Chair)*, Ms Dundas, Mr Hargreaves. *(Presented 9 April 2002).*

ESTIMATES 2002-03: *(Formed 6 June 2002):* Mr Humphries *(Chair)*, Mr Hargreaves, Ms Dundas, Mrs Dunne, Ms Gallagher. *(Printing, circulation and publication authorised 19 August 2002; presented 20 August 2002).*

ESTIMATES 2003-04: *(Formed 3 April 2003):* Mr Smyth *(Chair)*, Mrs Cross, Mr Hargreaves, Mrs Dunne, Ms MacDonald. *(Presented 17 June 2003).*

PRIVILEGES: *(Formed 6 June 2002):* Ms Tucker *(Chair)*, Mr Hargreaves, Mr Smyth. *(Presented 14 November 2002).*

STATUS OF WOMEN IN THE ACT: *(Formed 11 December 2001):* Ms Gallagher *(Chair)*, Mrs Cross, Ms Dundas. *(Presented 21 November 2002).*
